

**31.03.
2026**

Ct. No. 24

Ab

WPA 5747 of 2026

**Manindra Nath Sarkar and others
Vs.
The State of West Bengal and others.**

**Ms. Indira Goswami,
Ms. Sneha Dutta,
Mr. Parthasarathi Boyal.**

... for the petitioners.

**Mr. Joydip Banerjee,
Mr. Tapas Kumar Dey.**

... for the State.

**Mr. Kalyan Bandopadhyay,
Mr. Biswaroop Bhattacharya,
Ms. Pramiti Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. Rahul Kumar Singh.**

... for the WBCSSC.

1. The affidavit of service filed today is taken on record.
2. The petitioners are the unsuccessful candidates.
3. The petitioners are aggrieved that their grievance made on November 9, 2025 till January 2026 has not been considered, seems to be unfounded. The Expert Committee was appointed for the subject of the petitioners' (Biological Science) on October 9, 2025. The Expert Committee has considered the objections received by it on October 14, 2025 and has duly published the final answer key.
4. There is no provision in the Rules by notification no. 764-SE/S/10M-03/2025 dated May 5, 2025 for re-evaluation after publication of the final answer

keys. The decision of the Expert Committee is final and binding. The result was published sometime in November 2025.

5. The petitioners have chosen not to approach this Court when their representations were not considered and waited for publication of results in November 2025 and then filed this writ petition at belated stage, in March, 2026.
6. There is no reason to cause a fresh re-evaluation at this belated stage, since the petitioners have already got an opportunity.
7. The Rules in the notification are absolutely clear in as much as Rules 11(vi) and (iv) are clear as to the manner and method of preparation of panel upon consideration of selection of candidates of the State Level Selection Committee (SLST).
8. The decision of the Hon'ble Supreme Court of India reported in 2021 (2) SCC 309, that re-evaluation should not be undertaken by a Court, unless specifically permitted by the Rules.
9. In the present case, the Rules do not specify a second challenge to the views of the Expert Committee. The preliminary answer key may be challenged by way of objection.
10. It has also been made clear by a Hon'ble Division Bench of this Court in MAT 30/2026 (Swaoni Bhattacharjee vs. The State of West Bengal & Ors.)

that the “power to interfere is not when the order impugned is not right, but when it is clearly wrong”.

11. The petitioners are not within the zone of consideration and cannot seek a right beyond the Rules guiding them. The petitioners were aware of the Rules when they participated in the examinations and are bound by the decision of the Expert Committee as stipulated in the Rules.

12. The said Rules are not under challenge and a decision taken in consonance with such Rules cannot be altered on the ground that a second round of objection ought to be entertained by the Expert Committee. Any interference at this stage causing a re-evaluation of the petitioners will disrupt the entire process undertaken pursuant to the SLST and will cause irreparable harm and prejudice to lakhs of other candidates who have been successful and are awaiting appointment or consideration in the counseling rounds.

13. In view of the afore-stated, the writ petition is dismissed.

14. There shall, however, be no order as to costs.

15. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)

